

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

CHARLES BELLON,	:
Petitioner	:
v.	: Case No. 3:22-cv-44-KAP
MORRIS HOUSER, Superintendent,	:
S.C.I. Benner,	:
Respondent	:

Memorandum Order

Respondent's motion to stay, ECF no. 20, is granted. The parties are directed to notify the Court when the proceedings at Bellon v Ferguson, Case No. 3:15-cv-131-KRG-KAP (W.D.Pa.), including any related appeals, interlocutory appeals, or motions pending at the Court of Appeals, are terminated. To be clear, this stay is ordered under Fed.R.Civ.P. 42(a)(3), granting the Court authority to manage its litigation to avoid unnecessary cost or delay when multiple actions involve common questions of law or fact. I have serious doubts whether any stay could be justified under Rhines v. Weber, 544 U.S. 269, 276-78 (2005) (stay appropriate when the petitioner has good cause for failure to exhaust claims, the unexhausted claims are potentially meritorious, and there is no evidence that the petitioner seeks to use the stay as a delaying tactic), and do not rely on Rhines v. Weber.



DATE: September 5, 2024

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Keith A. Pesto,  
United States Magistrate Judge

Notice to counsel of record by ECF and by U.S. Mail to:

Charles Bellon FN-8112  
S.C.I. Somerset  
1590 Walters Mill Road  
Somerset, PA 15510